

DAREBIN CITY COUNCIL

DAREBIN ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY COUNCIL

INSTRUMENT OF DELEGATION - 2009/2010

1. PREAMBLE

- 1.1 Darebin City Council (“the Council”) at its meeting held on 7 December 2009, pursuant to its powers set out in section 86 of the Local Government Act (1989) (*“the Act”*) established for the 2009/2010 Council year, a Special Committee of Councillors and other members to be known as the Darebin Aboriginal and Torres Strait Islander Community Council (DATSICC) to undertake activities to support Aboriginal and Torres Strait Islander people in Darebin and provide advice to Council about issues relevant to Aboriginal and Torres Strait Islander people in the City of Darebin (“the purpose”).
- 1.2 In order to fulfil the purpose, Council by this Instrument delegates to the Special Committee pursuant to section 86(3) of the Act the following powers, duties and functions.

2. DUTIES AND FUNCTIONS

- 2.1 To participate in all relevant Council program and policy development initiatives.
- 2.2 To be educational – an advisor on Aboriginal and Torres Strait Islander social, spiritual and cultural issues to Council and the community.
- 2.3 To develop and maintain strong relationships with Council and the local Aboriginal and Torres Strait Islander community – so as to be a bridge between Council and the Aboriginal and Torres Strait Islander people of Darebin.
- 2.4 To nurture the new generation of Aboriginal and Torres Strait Islander leadership in Darebin by encouraging participation in the governance processes.
- 2.5 To oversee the development of cross cultural awareness programs for Council staff, local businesses and services.
- 2.6 To increase the visibility of Aboriginal and Torres Strait Islander language, symbols and signs in Darebin to ensure a visible presence of Aboriginal and Torres Strait Islander culture in the municipality.
- 2.7 To increase the awareness of the living Aboriginal and Torres Strait Islander culture in Darebin.

- 2.8 To increase the use of Aboriginal and Torres Strait Islander personnel at all levels of Council.
- 2.9 To improve access to Council services for Aboriginal and Torres Strait Islander people and work to improve the cultural relevance and appropriateness of all Council services for ATSI people.
- 2.10 To initiate, promote and monitor projects that assist Aboriginal and Torres Strait Islander people in Darebin.
- 2.11 To ensure the maintenance of the existing Aboriginal and Torres Strait Islander community in Darebin by advocating for affordable housing, employment and improved health and community care.
- 2.12 To advocate on the needs of the Aboriginal and Torres Strait Islander people of Darebin.

3. POWERS

- 3.1 Council's powers, duties and functions under the Local Government Act 1989 in relation to the provision of health, education, employment, cultural and other services to support Aboriginal and Torres Strait Islander people in the City of Darebin, in particular the power to:
 - 3.1.1 Commit expenditure, within the approved Council budget, to pursue the purpose, duties and functions for which DATSICC is established.
 - 3.1.2 Develop and implement within the approved Council budget, an appropriate marketing campaign, for the role of DATSICC, both within and outside the Darebin Aboriginal Community.
 - 3.1.3 Establish appropriate protocols and celebrations which recognise indigenous culture in Darebin.
 - 3.1.4 Undertake or commission research to provide accurate and timely information about Indigenous people in Darebin.
 - 3.1.5 Establish policies which provide enhanced opportunities for indigenous people in the City of Darebin. Such policies will be referred to Council for adoption when:
 - 3.1.5.1 The proposed policy is inconsistent with the current Council policy;
 - 3.1.5.2 Implementation of the proposed policy would have budgetary impacts not provided for in the Council's operating budget at the time; or
 - 3.1.5.3 Council's Chief Executive Officer deems the proposed policy to be of such significance that it should be referred to Council for adoption.
- 3.2 To develop and implement strategies, policies and programs to achieve the Committee's purpose and functions in accordance with its operating Budget and Work Plan.

4. GUIDELINES AND LIMITATIONS

- 4.1 Council may by resolution vary or revoke this delegation.
- 4.2 A power, duty or function delegated to the Special Committee shall be exercised in accordance with this Instrument of Delegation and be subject to the conditions and limitations contained in this delegation.
- 4.3 The delegation of a power, duty or function by Council does not prevent the exercise of the power, duty or function by the Council.
- 4.4 Any act or thing done in the performance of a power, duty or function by the Special Committee has the same force and effect as if it had been done by Council.
- 4.5 The later revocation or variation of the delegation shall not invalidate an act of the Special Committee done within the scope of this delegation.
- 4.6 A copy of this delegation shall be kept in the Council's Register of Delegations.
- 4.7 The Special Committee shall not:
 - 4.7.1 Delegate any of the powers, duties or functions hereby delegated to it.
 - 4.7.2 Borrow money.
 - 4.7.3 Enter into contracts for an amount not approved in a Budget endorsed by the Council.

5. REPORTING

- 5.1 The Special Committee will provide an Annual Report to Council on its activities for the year. Specific proposals outside the scope of this delegation will be separately reported to Council for consideration.

6. DURATION OF DELEGATION

- 6.1 This Instrument of Delegation shall remain in force until revoked or varied by Council resolution.

DATED this.....day of February 2010.

The COMMON SEAL of)
 DAREBIN CITY COUNCIL)
 was affixed on)
 with the authority of the Council:)

.....
 Chief Executive Officer